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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,712	06/30/2003	Richard S. Perry	884.941US1	3752
21186	7590	04/19/2005	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			NGUYEN, JIMMY	
			ART UNIT	PAPER NUMBER
			2829	

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/612,712

Applicant(s)

PERRY, RICHARD S.

Examiner

Jimmy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 8 and 15 - 27 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1 - 8 and 15 - 27 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Examiner acknowledges the election paper filed 4/11/2005 to elect group I claims 1 – 8 and 15 – 21. Newly added claims 22 – 27 are also pending in the application.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 8 and 15 – 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Fredrickson (US 5,952,839).

As to claim 1, Fredrickson disclose (fig 4c) a test device comprising:

An element (449, 445) having a surface for contacting a first plane (451); and

A probe (447) having a free end positioned in a second plane (401).

As to claims 2, 26, 27, Fredrickson disclose (fig 4c) a test device comprising the test device of claim 1 wherein the element (449, 445) having the surface to contact the first plane (451) includes features for contacting a ground plane (451).

As to claim 3, Fredrickson disclose (fig 4c) a test device comprising the length of the probe (447) is greater than the length of the element (449, 445) having a surface for contacting the first plane.

As to claims 4, 5, Fredrickson disclose (fig 4c) the element (449, 445) shield the device (because the outside of the element 449,445 are insulated).

As to claim 6, Fredrickson disclose (fig 4c) the test device of claim 1 wherein the element (449, 445) that shields the probe (447) further comprises features for contacting a ground plane dimensioned to prevent interference from radio signals of a selected frequency.

As to claim 7, Fredrickson disclose (fig 4c) the test device of claim 6 wherein the features for contacting a ground plane (451) include a plurality of pointed peaks (49, 445) separated by valleys wherein the height of the peaks are dimensioned to prevent passage of radio signals of a selected frequency.

As to claim 8, Fredrickson disclose (fig 4b) the element includes a cylindrical portion surrounding a portion of the probe (447).

As to claim 15, Fredrickson disclose (fig 4b) an electrical testing device comprising:
a first test probe (447) adapted to contact electrical elements (405) in a first plane; and
a second test probe (449, 445) , the second test probe further comprising:
an element (449, 445) having a surface for contacting a first plane; and
a probe (447) having a free end positioned in a second plane.

As to claim 16, Fredrickson disclose (fig 4c) the electrical testing device comprising
a fixture having a nest adapted to receive an electrical device having elements to be
tested on a first plane and on a second plane.

As to claim 17, Fredrickson disclose (fig 4c) the electrical testing device wherein the
electrical device is a circuit board (401, 451, 431).

As to claims 18, 23, Fredrickson disclose (fig 4c) a method for testing dut
comprising:
Contacting a first pad (453) on dut located in a first plane;
Contacting a second pad (405) on the dut in a second plane substantially
simultaneously as contacting the first pad.

As to claims 19, 24, Fredrickson disclose (fig 4c) the first pad (453) and the second pad (405) are contacted from the same side of the dut.

As to claims 20, 25, Fredrickson disclose (fig 4c) the contacting the second pad of dut further comprises passing a probe (447) through a portion of a dut.

As to claim 21, Fredrickson disclose (fig 4c) the dut is a circuit board (451, 401) having an electrical component (419 is socket that physically holds the ic undetr test not shown) attached to a primary side of the circuit board (401, 451) and wherein passing a probe (447) through a portion of the dut includes passing a probe through an opening in the circuit board.

As to claim 22, Fredrickson disclose (fig 4c) the electrical testing device of claim 15 further comprising a fixture having a nest adapted to receive an electrical device that includes:

a printed circuit board (401, 451) further including:

a primary side (top side); and

a secondary side (bottom side);

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a component (419) having a main body, the component attached to the primary side (top side) of the printed circuit board (401) and further including a pad (405) attached to the main body of the component, the pad (405) positioned between the main body of the component and the primary side of the printed circuit board; a ground plane (451) connection surface attached to the secondary side of the printed circuit board (401, 451), the printed circuit board having an opening therein positioned near the pad attached to the main body of the component.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy Nguyen whose telephone number is (703) 306-5858. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ramitez Nestor, can be reached on 571-272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jimmy Nguyen

4/15/2005


VINH NGUYEN
PRIMARY EXAMINER
A-U-2829
04/18/05